

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13945 of 2022

Bandhan Kumhar son of Late Tippan Kumhar, Resident of Village - Pipra Tand, P.S.- Saria, District - Giridih (Jharkhand).

... .. Petitioner/s

Versus

1. The State Bank of India through the Chairman, State Bank of India, Mumbai.
2. The Chairman, State Bank of India, Mumbai.
3. The Chief General Manager, State Bank of India, Patna Circle, West Gandhi Maidan, P.S. Gandhi Maidan, District- Patna.
4. The Zonal Manager (Region-I), State Bank of India, Beatson Road, Khanjarpur, Bhagalpur.
5. Deputy General Manager, State Bank of India (Region-I), Zonal Office, Beatson Road, Khanjarpur, Bhagalpur.
6. Assistant General Manager, S.B.I. Zonal Office, Bhawsen Bhawan, Beatson Road, Khanjarpur, Bhagalpur.
7. The Branch Manager, State Bank of India, Suriya Branch, District- Giridih (Jharkhand).
8. The Union of India through the Labour Commissioner, Bihar, Patna.
9. The Labour Commissioner, Government of Bihar, Patna.
10. The Assistant Labour Commissioner, (Central), Shram Bhawan, Jagjivan Nagar, Dhanbad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Devendra Prasad Singh, Advocate
For the SBI	:	Ms. Namrata Mishra, Sr. Advocate
For the State	:	Smt. Anuradha Singh (SC 21)
		Ms. Nutan Kumari Sharma, AC to SC-21
For the UoI	:	Mr. Praveen Kumar Sinha, Sr. Panel Counsel

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-07-2025 Heard learned counsel for the petitioner, learned counsel for the State Bank of India, learned counsel for the State, and learned counsel for the Union of India.

2. The present writ petition has been filed seeking a



direction to the respondent Bank to regularize/absorb the services of the petitioner, who is working as a canteen boy under the respondent State Bank of India, and to release the due wages in light of the order passed by the Labour Commissioner, Dhanbad, vide Memo No. 1266 dated 29.04.2013. The petitioner has further prayed for a direction restraining the respondents from disturbing or disengaging him from service and, if already disengaged, to reinstate him.

3. Learned Senior Counsel appearing for the State Bank of India has raised a preliminary objection regarding maintainability, submitting that the entire cause of action has arisen within the State of Jharkhand, inasmuch as the protection order was issued by the Labour Commissioner, Dhanbad, and the same is to be implemented within the territorial jurisdiction of Jharkhand. Therefore, the present writ petition is not maintainable before this Court in Bihar.

4. In response, learned counsel for the State submits that since the zonal office of the State Bank of India is situated at Bhagalpur, Bihar, the petitioner has chosen to file the present writ petition before this Court.

5. Upon consideration of the rival submissions and materials on record, it is evident that the cause of action has



substantially arisen in the State of Jharkhand, as the order under consideration has been passed by the Labour Commissioner, Dhanbad, and its implementation is also to be carried out within the jurisdiction of Jharkhand. The mere fact that certain senior officials of the Bank are stationed in Bihar does not confer jurisdiction upon this Court. It is always open to the petitioner to approach the appropriate forum in Jharkhand, where the cause of action has arisen, and implead the relevant officials located in Bihar as party respondents, if so advised.

6. Accordingly, the present writ petition stands disposed of with liberty to the petitioner to avail the appropriate remedy before the competent Court having territorial jurisdiction in the State of Jharkhand.

(Dr. Anshuman, J)

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